

any adverse rulings from the Parliamentarian. Over the last several decades, Senators on both sides have refrained from such a dangerous move because of the precedent it would set.

Here is another instance where, despite pressure from some in my party, Leader McConnell refrained from eliminating the legislative filibuster. He knew how detrimental it would be to the U.S. Senate as an institution.

Basically, what we are hearing now about budget reconciliation and considering eliminating the Byrd rule is essentially a backdoor method to eliminate the filibuster and push the most partisan, controversial measures through with only a simple majority.

In 2001, Senator Byrd said: "Reconciliation was never, never, never intended to be used as a shield for controversial legislation by depriving Senators of their rights and their duty to debate and amend." But that is precisely what our Democratic colleagues are reported to be considering now—to overrule the advice of a nonpartisan adviser to the Senate so they can deprive Senators of their duty and ability to debate and amend legislation.

I urge our colleagues not to go down this road. After all, you would have thought they learned a lesson now that the shoe is on the other foot when it comes to nominations and the filibuster.

In 2013, then-Majority Leader Harry Reid went nuclear and eliminated the 60-vote cloture requirement on judicial nominees—something distinct and different from a legislative filibuster but applied to nominees. Leader McConnell told our colleague from Nevada at the time: "You'll regret this, and you may regret this a lot sooner than you think." And as it turned out, he was right.

As our colleagues now know very well, the Republican-led Senate confirmed more than 230 judges who were nominated by President Trump, all thanks to Harry Reid's rule change. This action cleared the way to eliminate the 60-vote cloture threshold on Supreme Court nominees, which led to the confirmation of three Supreme Court Justices during the Trump Presidency.

There are inherent and perhaps unintended consequences of changing the rules in a place where your power is never permanently guaranteed. Chipping away at the rights of the minority may help you now, but you are sure to regret that someday, just as Democrats now regret the day Harry Reid cleared an easy path for hundreds of conservative Federal judges.

There are a few ways to stop this madness before Democrats head down this dangerous path. The first is for President Biden to intervene and warn Senate Democrats not to break the rules by ignoring decades of precedent.

We are less than 2 weeks in a Biden Presidency, which was won on the promise of working together. President Biden consistently pointed to his experience as a U.S. Senator as evidence of

his ability to reach across the aisle to get things done. This will be his first test. Will he urge Senate Democrats to pursue a bipartisan approach to legislating, or will he give up on his single largest campaign promise less than 2 weeks into his administration?

The second option is for our Democratic colleagues to speak up. Senators Manchin and Sinema stood up to the Democratic leader when he threatened to eliminate the filibuster. As I see it, this is no less dangerous.

Whatever precedent you set or break when you are on one side will affect you when you are on the other side, which you, inevitably, will ultimately be.

If Democrats destroy the budget reconciliation process now, it will clear the way for them to pass a progressive agenda with absolutely zero need for Republican votes. That could include everything from Federal funding for abortions to heavyhanded climate policies. And when Republicans ultimately find themselves in the majority, all of these policies could be eliminated with a party-line vote and replaced with new laws.

This is a dangerous and unnecessary road to go down, and our Democratic colleagues have a duty, I believe, as Members of this body, to respect its rules and respect the Senate as an institution. The Senate should not replace the Byrd rule with Harry's rule.

I would like to once again share some wise words from our late colleague Senator Byrd, who was known as a master of the Senate rules and process and procedure. Not long before his death, he spoke in a Senate Rules Committee hearing about the importance of protecting minority rights—something the Senate has been known for. Oddly enough, the current Democratic leader was presiding at the time. Senator Byrd said:

As I have said before, the Senate has been the last fortress of minority rights and freedom of speech in this Republic for more than two centuries. I pray that Senators will pause and reflect before ignoring that history and tradition in favor of the political priority of the moment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, first, I ask unanimous consent that the 5:30 p.m. confirmation vote on the nomination of Alejandro Mayorkas to be Secretary of the Department of Homeland Security occur on Tuesday,

February 2, at 2:30, with all other provisions of the agreement remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

MYANMAR

Madam President, at the beginning here, I want to briefly address the deeply disturbing reports of a coup in Myanmar. We are monitoring the situation with great concern, and the Biden administration is already providing briefings to the Hill on the state of affairs. Congress stands ready to work collaboratively with the new administration to resolve the situation.

I know this is a region of long-standing concern and interest to the Republican leader, so I hope that we can productively work together in a bipartisan fashion to determine the best course of action for America's interest and for the people of Myanmar.

NOMINATIONS

Madam President, next, this week the Senate will continue to confirm President Biden's outstanding Cabinet nominees. We had intended to finish the confirmation of Alejandro Mayorkas to serve as Secretary of Homeland Security today, but unfortunately, with winter storms hitting much of the east coast, Mr. Mayorkas's confirmation will be delayed until tomorrow to accommodate Members who are having difficulty getting here.

We will also vote tomorrow on the confirmation of former South Bend Mayor Pete Buttigieg to serve as our Nation's next Secretary of Transportation. Mr. Buttigieg is an impressive public servant who has already earned the respect and confidence of both sides. He was reported out of the committee last week on an overwhelming bipartisan vote, and I look forward to confirming his nomination tomorrow.

Now, as we process these nominations on the floor, our Senate committees are hard at work preparing the next slate of nominees, including Secretaries of Agriculture, Energy, Veterans Affairs, Commerce, Education, Labor, EPA, and more. We have a lot of work to do here, but the Senate is going to press forward on these nominations as quickly as possible.

CORONAVIRUS

Madam President, at the same time, the Senate this week will begin the important work of crafting legislation to rescue the American people and the American economy from the continued effects of the COVID-19 pandemic.

We continue to face a crisis unlike any other in our lifetimes. Over the course of a year, more than 26 million Americans contracted the virus and nearly 450,000 have died—more than the number of Americans who died during World War II. Tens of millions of Americans have lost their jobs, thousands of businesses closed their doors for good, and the economy has suffered the worst year of growth, again, since World War II.

Our efforts here in Congress over the past year have saved scores of small

businesses and kept millions of Americans in their home and out of poverty, but our work is far from completed.

As we speak, nearly a million Americans are filing for unemployment per week. More than 16 million Americans have reported being thousands of dollars behind on the rent, on mortgage, on utilities. Elderly Americans are having their heat shut off in the depths of winter. Families are having the power and internet shut off during their children's first year of virtual kindergarten. Small businesses we have done so much to help through the PPP and other bipartisan programs will struggle until we can vaccinate enough Americans to get the country back to normal.

Facing these multifaceted challenges of a scale and scope larger than any event in the past hundred years, Congress must pursue a bold and robust course of action. It makes no sense to pinch pennies when so many Americans are struggling. The risk of doing too little is far greater than the risk of doing too much.

Our history is full of warnings about the costs of small thinking during times of great challenge. President Hoover failed to react quickly enough to forestall a Great Depression. In the wake of our most recent financial crisis in 2009, Congress was too timid and constrained, and the ensuing recovery was long, slow, and painful.

Treasury Secretary Yellen, who watched the most recent recovery up close, just told us that "the smartest thing we can do is act big." Let me repeat that. "The smartest thing we can do is act big," according to Treasury Secretary Yellen. So that is what the Senate is going to do—act big.

Today, Speaker PELOSI and I will file a joint budget resolution for fiscal year 2021 totaling \$1.9 trillion, which is the first step in giving Congress an additional legislative tool to quickly pass the COVID relief legislation. The resolution, if passed by both Chambers of Congress, will provide instructions for the House and Senate committees to begin work on a potential budget reconciliation bill, which will be the vehicle for urgent and necessary COVID relief.

Now, I want to be very clear. There is nothing in this process that will preclude it from being bipartisan. We welcome—welcome—Republican input. Let me say that again. There is nothing in this process—the budget resolution or reconciliation—that precludes our work from being bipartisan. In fact, the Senate has used this process no fewer than 17 times to pass bipartisan legislation since 1980, including to create or expand landmark programs like children's health insurance, the child tax credit, and the earned income tax credit, which together have lifted millions of Americans out of poverty.

COVID relief, too, should be the work of both Democrats and Republicans. Teachers and firefighters are being laid off in red States and blue States.

American families are struggling with the rent and utilities in Kentucky as well as in New York.

We should all be eager to provide our country the resources it needs to finally beat this disease and return our country to normal. To that end, Democrats welcome the ideas and input of our Senate Republican colleagues. The only thing we cannot accept is a package that is too small or too narrow to pull our country out of this emergency. We cannot repeat the mistake of 2009, and we must act very soon to get this assistance to those so desperately in need.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS

Mr. TESTER. Madam President, I rise to speak about a friend of mine, Ali Mayorkas. He is President Biden's choice to head up the Department of Homeland Security. Now, I don't need to tell the folks in this Chamber how big of a job this is, but let me be clear: It is our duty to put somebody in this role who is up to the task of getting things done, and I am here to assure you that Ali Mayorkas is that man.

I worked closely with Ali when he was Deputy Secretary of Homeland Security in the Obama administration. It is obvious that he has the understanding of the challenges that this country is facing—from the coronavirus pandemic to immigration, to cybersecurity, to threats from our foreign adversaries and now, more than ever, from our domestic ones. Perhaps, most importantly, he has demonstrated that he is going to listen and learn about the unique problems facing each State in this Union.

He proved that to me when I brought him to Montana back in 2015. We flew along the Montana-Canada border and visited the Ports of Piegan and Sweetgrass before hosting a roundtable on human trafficking in Havre, just a little more than 50 miles from where I live. We also held listening sessions on law enforcement and first responders in Helena. We met with local businesses to discuss cross-border trade and even met with union representatives from Customs and Border Protection. He traveled thousands of miles to hear firsthand what Montanans had to say, and because of it, he understood what our State needed from him in order to be successful with our homeland security. That, folks, is what leadership looks like.

Over the past 4 years, we have seen the Department of Homeland Security in turmoil with six different Secre-

taries. We need a steady hand, a steady hand like Ali Mayorkas's, to get us back on track. After all, he spent 7 years in leadership roles in the Department of Homeland Security. He understands the challenges. He understands it is going to take a lot of work. He understands that we are going to have to bring people together, and he understands that this job is a 24/7 job. He understands because he has lived it. He has the knowledge and the experience to lead our Nation's Homeland Security today and prepare for the challenges of tomorrow.

Now, it is my understanding that tomorrow, at 2:30, we will vote on Ali Mayorkas as Secretary of Homeland Security. I would hope that we would get a strong vote for him out of this body because, quite frankly, after the events of January 6, we have no time to waste.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HEINRICH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. HEINRICH. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE UTAH NATIONAL GUARD

Mr. LEE. Madam President, I rise today to honor and thank the men and women of the Utah National Guard for their dedication and selfless service in protecting the U.S. Capitol. Each and every one of these guardsmen played an important role in our Nation's Capital these last weeks. I truly respect and admire their commitment to serve not just the people of Utah but wherever they are stationed.

2LT Hyrum Ahlman, CPL Halley Anderson, CPL Joseph Arvig, SGT Ismael Baires, SPC Andrew Bass, PFC Marc Brandt, SSG Trevor Brasfield, SFC Joshua Brewer, SSG David Brizzi, SFC Michael Broadhead, SPC Jose Cabero, SFC Cole Carpenter, SGT Sebastian Castillo, SPC Gregory Caton, MSG Steven Cave, SPC Anthony Cox, SPC Casey Cox, SGT Milo Cox, SPC Joshua Curtis, SGT Douglas Davis, SPC Palesala Faleseu, SGT Marc Flores, SPC Nathaniel Forbush, SGT Jose Garita, SSG Jason Gerfen, SPC Austin Hafen, SGT Jesse Hall, 1LT Jordan Hatch, PFC Jaxson Hess, SGT Kasey Hope, SGT James Huntsman, SPC Lance Irons, SPC Matthew Jackson, SSG Jose Jimenez, SGT